



Crl.OP.No.5818 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 03.03.2025

CORAM

THE HON'BLE MR. JUSTICE SUNDER MOHAN

Crl.O.P.No.5818 of 2025

Rajeswari

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Tiruppur North Police Station,
Tiruppur City.
(Crime No.190/2025)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail in the
event of her arrest in Crime No.190 of 2025 on the file of the respondent
Police.

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the offences punishable under Section 8(c) r/w 20(b)(ii)(B) of



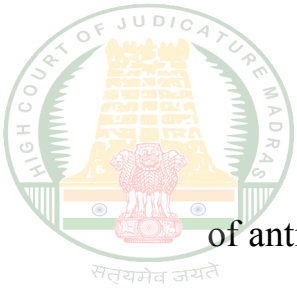
NDPS Act, in Crime No.190 of 2025, seeks anticipatory bail.

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2. The case of the prosecution is that, on 08.02.2025, based on secret information, the respondent police found that A1 was found in possession of 2 Kgs of Ganja and seized 7.5 kgs of Ganja from A1's house. Based on the confession of A1, the petitioner was arrayed as an accused. Hence, the case.

3. The learned counsel for the petitioner submits that the allegations are false and there is no previous case pending against the petitioner; and that based on confession of A1, the petitioner was arrayed as an accused; and that in any case, the custodial interrogation of petitioner is not required. Hence, he prays for granting anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that no contraband was seized from the petitioner; that based on confession of A1, the petitioner was arrayed as an accused. Hence, he opposed for grant



of anticipatory bail.

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5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

6. Considering the fact that the petitioner is aged 72 years; that there is no previous case against the petitioner; and that she is sought to be implicated only based on the confession of co-accused, and since the custodial interrogation of the petitioner is not required for the purpose of investigation. Therefore, this Court is inclined to grant anticipatory bail to the petitioner on the certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned Additional District Judge/Presiding Officer, Special Court of EC Act Cases, Coimbatore**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties



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for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police twice a week until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the Petitioners in accordance with law as if the conditions have been imposed and the Petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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Index : Yes / No



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Internet : Yes / No

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To

1.The Inspector of Police,
Tiruppur North Police Station,
Tiruppur City.

2.The learned Additional District Judge/Presiding Officer,
Special Court of EC Act Cases, Coimbatore.

3.The Public Prosecutor,
Madras High Court,
Chennai.



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SUNDER MOHAN , J.

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